

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Andrew Michael Wild	Confirmation No.:	3476
Appln. No.:	10/549,375	Group Art Unit:	3773
Filed:	January 26, 2007	Examiner:	Dianne Dornbusch
Title:	SURGICAL CLIP	Atty. Docket No.:	148392.00000
		Customer No.:	25207

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE AFTER FINAL

Sir:

In response to the Office Action of November 5, 2008, please amend the application as follows:

Status is on page 2.

Summary of USPTO Fees begins on page 3 of this paper.

Amendments to the Abstract begins on page 4 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 5 of this paper.

Remarks/Arguments/Conclusion begin on page 10 of this paper.

STATUS

The above-captioned patent application is pending.

Claims 1 and 3-22 are pending in the application.

Claims 7-10 and 12 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention

Claims 1, 3-19 and 22 are rejected under 35 USC 102(b) as being anticipated by Morrish et al. (U.S. Patent No. 4,878,276).

Claims 20 and 21 are rejected under 35 USC 103(a) as being unpatentable over Morrish et al. (U.S. Patent No. 4,878,276).

SUMMARY OF USPTO FEES ENCLOSED HEREWITH

Extension of Time

A separate petition for an extension of time of two (2) months up to and including April 6, 2009, to respond to the outstanding Office Action, along with authorization to charge the appropriate fee for a large entity of \$490, is enclosed herewith.

Request for Continued Examination

A separate Request for Continued Examination, along with authorization to charge the appropriate fee for a large entity of \$810, is enclosed herewith.

It is believed these fees are correct; however, the Commissioner for Patents is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1429.